

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA

Chambers of
PATRICK J. SCHILTZ
DISTRICT JUDGE

Warren E. Burger Federal Building
316 North Robert Street
St. Paul, Minnesota 55101
(651) 848-1900

June 24, 2008

Ms. Kristin Heebner
Ms. Lorie Klein
Mr. Mathew Meyer
Mr. Cass Weil
Moss & Barnett
90 South 7th Street - Suite 4800
Minneapolis, MN 55402

Mr. James Jorissen
Mr. Chad Kelsch
Leonard, O'Brien, Spencer, Gale & Sayre
100 South 5th Street - Suite 2500
Minneapolis, MN 55402

Re: *Elliot & Callan, Inc. v. Luther Allan Crofton*
Case No. 07-CV-3391 (PJS/JG)

Dear Counsel:

I received your letters of June 23, 2008.

Trial will commence at 9:00 a.m. on July 15, as previously ordered. I will hear all of the plaintiff's evidence on that date. I will also hear all of the defendant's evidence, save the testimony of Dr. Haber. I will then recess the trial until 8:30 a.m. on July 17. At that time, I will hear Dr. Haber's testimony, and then I will hear rebuttal evidence (if any) and closing arguments. We will have to conclude no later than 1:00 p.m. on July 17, and thus I may have to impose time limitations on the questioning of Dr. Haber or on closing arguments.

If I exclude the testimony of Dr. Haber in response to a motion in limine, we will simply finish the trial on July 15.

Sincerely,

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge